

FILE NO.: Z-8891

NAME: Watson Short-form PD-R

LOCATION: Located at 309 Charles Street

DEVELOPER:

Terry Watson
308 Charles Street
Little Rock, AR 72205

ENGINEER:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.14 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: R-3, Single-family

ALLOWED USES: Single-family residential

PROPOSED ZONING: PD-R

PROPOSED USE: Increase fence height along Kavanaugh Boulevard - Hillcrest DOD

VARIANCES/WAIVERS REQUESTED: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The request is a rezoning from R-3, Single-family to PD-R to allow the construction of a 6-foot fence along Kavanaugh Boulevard. The ordinance states fences constructed between the required building setback line and a street right of way shall have a maximum height of four (4) feet. Other fences may be erected to a maximum height of six (6) feet. The property is located within the Hillcrest Design Overlay District which has specific development criteria. Although the DOD does not address fences and fence heights they are not excluded from the Planned Zoning Development review. All other aspects of the development comply with the development standards of the DOD.

B. EXISTING CONDITIONS:

The site contains a new home fronting on Charles Street with the back yard fronting on Kavanaugh Boulevard. The site contains a mixture of single-family and multi-family housing. The homes adjacent to this site and across the street are single-family. Charles Street is a narrow street. Not all lots have a sidewalk in place along Charles Street. Kavanaugh Boulevard is a two lane roadway with bicycle paths in place. There are sidewalks along Kavanaugh Boulevard in this area.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received two (2) informational phone calls from area residents concerning the proposed request. All property owners located within 200-feet of the site along with the Hillcrest Residents Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

No comment.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project. Contact Little Rock Wastewater Utility for any additional information.

Entergy: Entergy does not object to the installation of the fence as proposed.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: No objection.

Fire Department: Maintain access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: Approved as submitted.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the Heights/Hillcrest Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. Residential Low Density allows for single family homes at densities not to exceed six (6) dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but may also include patio or garden homes and cluster homes, provided that the density remain less than six (6) units per acre. The applicant has applied for a rezoning from R-3 (Single-family District) to PDR (Planned District Residential) to address a fence issue on this site. The site is within the Hillcrest Design Overlay District.

Master Street Plan: Charles Street is a Local Street on the Master Street Plan. The primary function of a Local Street is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". A Collector design standard is used for Commercial Streets. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

Landscape: No comment.

G. SUBDIVISION COMMITTEE COMMENT: (October 23, 2013)

The applicant was not present. Staff presented an overview of the item stating there were no outstanding technical issues associated with the request. Staff stated the property was located within the Hillcrest Design Overlay District which required property to be rezoned if all aspects of the development, in this case the height of the fence, were not being met. There was no further discussion of the item. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

There were no outstanding technical issues associated with the request in need of addressing raised at the October 23, 2013, Subdivision Committee meeting. The request is a rezoning from R-3, Single-family to PD-R to allow the construction of a 6-foot fence within the front building setback along Kavanaugh Boulevard. The Zoning Ordinance states fences constructed between the required building setback line and a street right of way shall have a maximum height of four (4) feet. Other fences may be erected to a maximum height of six (6) feet. The property has frontage on two (2) City streets; Charles Street and Kavanaugh Boulevard. Along Kavanaugh Boulevard the property has 34.45-feet of frontage. The property does not take access from Kavanaugh Boulevard.

The property is located within the Hillcrest Design Overlay District which has specific development criteria. Although the DOD does not address fences and fence heights they are not excluded from the Planned Zoning Development review. The ordinance states property, if for any reason, that cannot be development without violating the standards of the DOD shall be reviewed through the planning zoning district section of the zoning ordinance, with the intent to devise a workable development plan which is consistent with the purpose and intent of the overly ordinance. The placement of the fence along Kavanaugh Boulevard is the only area the site does not comply with the Zoning Ordinance. All other aspects of the development comply with the Overlay.

Staff is supportive of the request. Staff does not feel the placement of the fence along Kavanaugh Boulevard will create any hardship or significantly impact the area.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

PLANNING COMMISSION ACTION:

(NOVEMBER 14, 2013)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

There was no further discussion of the item. The chair entertained a motion for approval of the item as recommended by staff. The motion carried by a vote of 8 ayes, 0 noes, 2 absent and 1 open position.